

Message Text

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ACTION OES-04

INFO OCT-01 IO-10 ISO-00 ACDA-05 CIAE-00 INR-07 L-02

NSAE-00 NSC-05 EB-07 NRC-05 FEAE-00 PM-03 DODE-00

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TO SECSTATE WASHDC 5808

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E.O. 11652: ADS DECLASSIFY 12/31/75

TAGS: IAEA TECH

SUBJECT: U.S. POLICY RE TRANSFERS OF SIGNIFICANT QUANTITIES
OF SENSITIVE NUCLEAR MATERIALS

REF: STATE 083234

1. DEPT/ERDA WILL RECALL THAT, IN CONNECTION PAKISTAN
AND PHILIPPINES REACTOR PROJECT CONSIDERED AT FEB BG,
AMBASSADOR TAPE INDICATED THAT U.S. WOULD PROVIDE AGENCY
IN DUE COURSE WITH DETAILS OF U.S. POLICY RE REQUIREMENT
FOR NEED TO BE ASSURED OF ADEQUATE PHYSICAL SECURITY
MEASURES IN RECIPIENT COUNTRY PRIOR TO APPROVAL OF TRANSFER
OF CERTAIN TYPES AND QUANTITIES OF NUCLEAR MATERIALS OF
U.S. ORIGIN.

2. BASED ON REFTEL AND DOCUMENTATION AVAILABLE TO MISSION,
WE HAVE PREPARED FOLLOWING LETTER TO DG OUTLINING DETAILS
OF U.S. POLICY REFERRED TO AT FEB BG. PRIOR TO SENDING
IT, HOWEVER, MISSION WOULD APPRECIATE DEPT/ERDA/NRC REVIEW
FOR COMPLETENESS AND ACCURACY.

3. TEXT OF LETTER: QUOTE

DEAR DR. EKLUND:

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YOU WILL RECALL THAT, IN CONNECTION WITH

CONSIDERATION OF REACTOR PROJECTS IN PAKISTAN AND THE PHILIPPINES AT THE FEBRUARY 26 SESSION OF THE BOARD OF GOVERNORS, AMBASSADOR TAPE REFERRED TO A NEW U.S. POLICY CONCERNING A REQUIREMENT FOR PHYSICAL SECURITY ARRANGEMENTS IN CASES INVOLVING TRANSFERS OF SIGNIFICANT QUANTITIES OF SENSITIVE NUCLEAR MATERIALS OF U.S. ORIGIN, AND HE INDICATED THAT THE DETAILS OF THIS POLICY WOULD BE PROVIDED IN DUE COURSE TO THE AGENCY. IN THIS CONNECTION, I AM PLEASED TO PROVIDE THE FOLLOWING INFORMATION, WHICH SHOULD BE HELPFUL TO THE AGENCY IN DEALING WITH FUTURE REQUESTS FOR CERTAIN U.S.-ORIGIN MATERIALS, AS INDICATED.

THE U.S. GOVERNMENT MUST BE ASSURED THAT ADEQUATE PHYSICAL SECURITY ARRANGEMENTS EXIST IN A RECIPIENT COUNTRY PRIOR TO AUTHORIZING OR ISSUING ANY NEW COMMITMENTS, CONTRACTS, OR EXPORT LICENSES INVOLVING THE SUPPLY OR TRANSFER OF THE FOLLOWING NUCLEAR MATERIALS OF U.S. ORIGIN, AND THAT THESE PHYSICAL SECURITY MEASURES WOULD BE APPLIED TO SUCH MATERIALS: URANIUM-235 (CONTAINED IN URANIUM ENRICHED TO 20 PER CENT OR MORE IN THE U-235 ISOTOPE), URANIUM-233, OR PLUTONIUM, ALONE OR IN ANY COMBINATION OF THESE MATERIALS, IN A QUANTITY OF 5,000 GRAMS OR MORE COMPUTED BY THE FORMULA: GRAMS EQUALS (GRAMS CONTAINED U-235) PLUS 2.5 (GRAMS U-233 PLUS GRAMS PLUTONIUM). SUCH ASSURANCES WILL ALSO BE REQUIRED BY THE U.S. GOVERNMENT IN CASES INVOLVING THE SUPPLY OR TRANSFER OF A QUANTITY OF THE FOREGOING TYPES OF NUCLEAR MATERIALS (ALONE OR IN ANY COMBINATION THEREOF) WHICH, WHEN ADDED TO EXISTING STOCKS OF THE SAME TYPES OF U.S.-ORIGIN NUCLEAR MATERIALS IN A COUNTRY, (ALONE OR IN ANY COMBINATION THEREOF) WOULD EQUAL OR EXCEED THE 5,000 GRAM FIGURE COMPUTED BY THE SAME FORMULA.

THE U.S. GOVERNMENT HAS UNDER REVIEW THE CRITERIA FOR DETERMINING THE ADEQUACY OF SPECIFIC PHYSICAL SECURITY MEASURES IN CONNECTION WITH THE IMPLEMENTATION OF THIS POLICY. IN THE INTERIM, HOWEVER, THE U.S. GOVERNMENT HAS CONCLUDED THAT PHYSICAL SECURITY STANDARDS COMPARABLE IN EFFECT TO THOSE EMPLOYED IN THE UNITED STATES FOR LICENSEES OF THE U.S. NUCLEAR REGULATORY COMMISSION WILL BE THE BASIS FOR DETERMINING THE ADEQUACY LIMITED OFFICIAL USE

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OF THE MEASURES IN EFFECT IN A GIVEN COUNTRY. THE CURRENT U.S. STANDARDS ARE SET FORTH IN TITLE 10, PART 13 OF THE CODE OF FEDERAL REGULATIONS, A COPY OF WHICH IS ENCLOSED. THESE REGULATIONS ARE CURRENTLY BEING REVISED. WE SHALL, OF COURSE, PROVIDE THE AGENCY IN DUE COURSE WITH A COPY OF THE NEW REGULATIONS CONCERNING IMPLEMENTATION OF THIS POLICY, WHICH ARE EXPECTED TO BECOME AVAILABLE WITHIN THE NEAR FUTURE.

IF YOU OR YOUR STAFF HAVE ANY QUESTIONS CONCERNING
THIS MATTER, PLEASE DO NOT HESITATE TO CONTACT US.
SINCERELY, UNQUOTE.

4. ADVISE. LABOWITZ

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